

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PAINTERS DISTRICT COUNCIL NO. 58	)	
et.al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Cause No: 4:25-CV-00430
	)	
LANDMARK INTERIORS, LLC,	)	
and CARDIN RACKLEY,	)	
	)	
Defendants.	)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs’ motion for default judgment against Landmark Interiors, LLC and Cardin Rackley (hereinafter, “Defendants”).

Plaintiffs filed this action on April 2, 2025 under the Employee Retirement Security Act, 29 U.S.C. §§ 1132 and 1145, and the Labor Management Relations Act, 29 U.S.C. § 185. The Complaint alleges the Defendants have failed to make accounting and fully pay several employee benefit funds and contributions due under the collective bargaining agreement between the Defendant Landmark Interiors, LLC and its employees’ union. Plaintiffs are the union and the trustees, sponsors and/or fiduciaries of the various funds.

The Clerk of Court entered an order of default against the Defendants on May 19, 2025. Plaintiffs have filed a motion seeking a default judgment and order for accounting under the parties' trust documents, collective bargaining agreement and common law under ERISA. When the Clerk of Court has entered default against a defendant, the "allegations of the complaint except as to the amount of damages are taken as true." *Mueller v. Jones*, No. 2:08CV16 JCH, 2009 WL 500837, at \*1 n.2 (E.D. Mo. Feb. 27, 2009) (quoting *Brown v. Kenron Aluminum & Glass Corp.*, 477 F.2d 526, 531 (8th Cir. 1973)). Accordingly, in deciding the present motion for default judgment, the Court accepts as true the factual allegations contained in the Plaintiffs' Complaint together with those affidavits presented in the Plaintiffs' motion and memorandum in support as they relate to the Plaintiffs' damages and prayer for relief. Based on those allegations and affidavits, Plaintiffs are entitled to the relief requested.

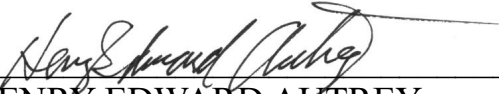
Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs' motion for full default judgment against the Defendants is **GRANTED**. Plaintiffs are awarded delinquent fringe benefit contributions, dues and deductions, liquidated damages and attorney's fees and costs against the Defendants, jointly and severally, in the amount of \$142,828.12 in delinquent fringe benefit contributions, dues and deductions and liquidated damages thereon.

**IT IS FURTHER ORDERED** that Plaintiffs are granted the right their requested accounting of Defendants' records for the period of September 1, 2024 to present. Defendants shall submit to the requested financial examination within ten (10) days of this Court's Order. Defendants are ordered to submit contractually required work reports accurately and promptly when due.

The Plaintiffs shall enjoy the right to immediately execute upon this judgment.

Dated this 21<sup>st</sup> day of July, 2025.

  
HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE